

v.

Civil Action
No. 04-12593-RGS

Defendant.

Defendant The Original Footwear Company moves pursuant to Fed. R. Civ. P. 12(b)(2) to dismiss this action for lack of personal jurisdiction.

In support of this motion, defendant refers to the Affidavit of Terry Mackness and its memorandum of in support of this motion, both of which are incorporated by reference.

WHEREFORE, defendant The Original Footwear Company requests that this Motion be granted, this action be dismissed, that it be awarded its costs, and that it be granted such other relief as may be just.

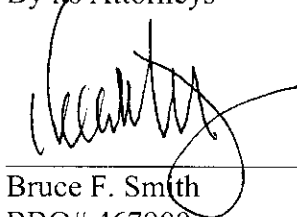
Request for Oral Argument

Pursuant to Local Rule 7.1(D), defendant wishes to be heard orally on this motion.

Certificate Under Local Rule 7.1(A)(2)

The undersigned certifies that counsel on January 14, 2005 he attempted to reach plaintiff's counsel to confer but was unable to do reach him. The undersigned left a voicemail message concerning this motion. Given the nature of the motion, it is not likely that the issues raised could be narrowed or resolved.

THE ORIGINAL FOOTWEAR COMPANY
By its Attorneys



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Dated: January 14, 2005.

I hereby certify that a true
copy of the above document was
served upon (each party appearing pro se
and) the attorney of record for each other
party ~~by mail~~ (by hand) on 1-14-2005

